

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

EMMANUEL ORUCHE,
FNU LNU,
a/k/a "Agwu,"
REBECCA AMBO FOMUM-TIBAH,
COSME FREDERIC TIBURCE JEMY,
FNU LNU,
a/k/a "Jaster,"
LINUS IHEUKWU,
PAUL OSUJI,
a/k/a "Mr. P,"
JOSEPH OLUIGBO,

Defendants.

INDICTMENT

S2 07 Cr. 124 (WHP)

COUNT ONE

The Grand Jury charges:

1. In or about December 2003, in the Southern District of New York and elsewhere, EMMANUEL ORUCHE, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.
2. It was a part and an object of the conspiracy that EMMANUEL ORUCHE, the defendant, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, one kilogram and more of mixtures and substances containing a detectable amount of heroin, in

violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about December 5, 2003, a co-conspirator not named as a defendant herein ("CC-1") arrived at Newark Liberty International Airport in Newark, New Jersey, in possession of approximately three kilograms of heroin.

b. On or about December 8, 2003, EMMANUEL ORUCHE, the defendant, traveled to the Bronx, New York, for the purpose of meeting CC-1.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. In or about December 2003, in the Southern District of New York and elsewhere, EMMANUEL ORUCHE, the defendant, and others known and unknown, unlawfully, intentionally and knowingly, did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that

EMMANUEL ORUCHE, the defendant, and others known and unknown, would and did import into the United States from a place outside thereof a controlled substance, to wit, one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 952(a) and 960(a)(1) and (b)(1)(A).

Overt Acts

6. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about December 5, 2003, CC-1 arrived at Newark Liberty International Airport in Newark, New Jersey, in possession of approximately three kilograms of heroin.

b. On or about December 8, 2003, EMMANUEL ORUCHE, the defendant, traveled to the Bronx, New York, for the purpose of meeting CC-1.

(Title 21, United States Code, Section 963.)

COUNT THREE

The Grand Jury further charges:

7. In or about 2006, in the Southern District of New York and elsewhere, EMMANUEL ORUCHE, FNU LNU, a/k/a "Agwu," REBECCA AMBO FOMUM-TIBAH, COSME FREDERIC TIBURCE JEMY, FNU LNU, a/k/a "Jaster," LINUS IHEUKWU, and JOSEPH OLUIGBO, the

defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

8. It was a part and an object of the conspiracy that EMMANUEL ORUCHE, FNU LNU, a/k/a "Agwu," REBECCA AMBO FOMUM-TIBAH, COSME FREDERIC TIBURCE JEMY, FNU LNU, a/k/a "Jaster," LINUS IHEUKWU, and JOSEPH OLUIGBO, the defendants, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

Background of the Conspiracy

9. During the relevant period, the Oruche Organization (the "Organization"), based in New York and Detroit, was involved in the importation and distribution of multi-kilogram quantities of heroin. The Organization arranges for the importation of heroin from the Afghanistan-Pakistan area, through various countries including Turkey and Nigeria, into the United States. The Organization uses couriers, primarily of West African descent, to import the heroin; some of the couriers transport heroin in suitcases and some of them transport the heroin internally. The Organization distributes the heroin to various locations in the United States, including New York,

Michigan, and Ohio.

10. EMMANUEL ORUCHE, the defendant, is a leader of the Oruche Organization. He is responsible for meeting couriers upon arrival in the United States, and for distributing the heroin within the United States. JOSEPH OLUIGBO, the defendant, directly assisted ORUCHE and would provide assistance to couriers upon arrival in the United States.

11. FNU LNU, a/k/a "Agwu," the defendant, is a Nigeria-based source of supply for the Organization who is responsible for sending couriers to the United States.

12. REBECCA AMBO FOMUM-TIBAH and COSME FREDERIC TIBURCE JEMY, the defendants, have served as couriers for the Organization. FOMUM-TIBAH made at least three trips on behalf of the Organization to Istanbul, Turkey, for the purpose of ingesting heroin for importation. On the last of these three trips, she imported approximately 1.3 kilograms of heroin, concealed in her stomach and in her vagina.

13. FNU LNU, a/k/a "Jaster," and LINUS IHEUKWU, the defendants, are customers of the Organization responsible for receiving multi-kilogram quantities of heroin in Michigan and Ohio, respectively.

Overt Acts

14. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and

elsewhere:

a. On or about June 2, 2006, a co-conspirator not named as a defendant herein ("CC-2") arrived at John F. Kennedy International Airport in Queens, New York, in possession of approximately 742 grams of heroin.

b. On or about August 9, 2006, REBECCA AMBO FOMUM-TIBAH, the defendant, arrived at JFK Airport in possession of approximately 1.3 kilograms of heroin, inside her stomach and inside her vagina.

c. On or about September 14, 2006, EMMANUEL ORUCHE, the defendant, provided a quantity of heroin to LINUS IHEUKWU, the defendant, in Ohio.

d. On or about September 26, 2006, FNU LNU, a/k/a "Agwu," the defendant, spoke by telephone with ORUCHE regarding the impending arrival of a heroin courier.

e. On or about September 29, 2006, COSME FREDERIC TIBURCE JEMY, the defendant, arrived at JFK Airport in possession of a quantity of heroin.

f. On or about September 30, 2006, FNU LNU, a/k/a "Agwu," the defendant, spoke by telephone with ORUCHE regarding the arrival of JEMY.

g. On or about September 30, 2006, JOSEPH OLUIGBO, the defendant, spoke by telephone with ORUCHE regarding the arrival of JEMY.

h. On or about September 30, 2006, ORUCHE spoke

by telephone with FNU LNU, a/k/a "Jaster," the defendant, regarding the sale of a quantity of heroin.

i. On or about October 2, 2006, ORUCHE met JEMY at a hotel in the Bronx, New York.

j. On or about October 19, 2006, ORUCHE spoke by telephone with FNU LNU, a/k/a "Jaster," regarding payment for heroin that ORUCHE had provided.

k. On or about October 19, 2006, ORUCHE spoke by telephone with FNU LNU, a/k/a "Agwu," regarding payment for the heroin that ORUCHE had distributed.

(Title 21, United States Code, Section 846.)

COUNT FOUR

The Grand Jury further charges:

15. In or about 2006, in the Southern District of New York and elsewhere, EMMANUEL ORUCHE, FNU LNU, a/k/a "Agwu," REBECCA AMBO FOMUM-TIBAH, COSME FREDERIC TIBURCE JEMY, FNU LNU, a/k/a "Jaster," LINUS IHEUKWU, and JOSEPH OLUIGBO, the defendants, and others known and unknown, unlawfully, intentionally and knowingly, did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

16. It was a part and an object of the conspiracy that EMMANUEL ORUCHE, FNU LNU, a/k/a "Agwu," REBECCA AMBO FOMUM-TIBAH, COSME FREDERIC TIBURCE JEMY, FNU LNU, a/k/a "Jaster,"

LINUS IHEUKWU, and JOSEPH OLUIGBO, the defendants, and others known and unknown, would and did import into the United States from a place outside thereof a controlled substance, to wit, one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 952(a) and 960(a)(1) and (b)(1)(A).

Overt Acts

17. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about June 2, 2006, CC-2 arrived at John F. Kennedy International Airport in Queens, New York, in possession of approximately 742 grams of heroin.

b. On or about August 9, 2006, REBECCA AMBO FOMUM-TIBAH, the defendant, arrived at JFK Airport in possession of approximately 1.3 kilograms of heroin, inside her stomach and inside her vagina.

c. On or about September 14, 2006, EMMANUEL ORUCHE, the defendant, provided a quantity of heroin to LINUS IHEUKWU, the defendant, in Ohio.

d. On or about September 26, 2006, FNU LNU, a/k/a "Agwu," the defendant, spoke by telephone with ORUCHE regarding the impending arrival of a heroin courier.

e. On or about September 29, 2006, COSME

FREDERIC TIBURCE JEMY, the defendant, arrived at JFK Airport in possession of a quantity of heroin.

f. On or about September 30, 2006, FNU LNU, a/k/a "Agwu," the defendant, spoke by telephone with ORUCHE regarding the arrival of JEMY.

g. On or about September 30, 2006, JOSEPH OLUIGBO, the defendant, spoke by telephone with ORUCHE regarding the arrival of JEMY.

h. On or about September 30, 2006, ORUCHE spoke by telephone with FNU LNU, a/k/a "Jaster," the defendant, regarding the sale of a quantity of heroin.

i. On or about October 2, 2006, ORUCHE met JEMY at a hotel in the Bronx, New York.

j. On or about October 19, 2006, ORUCHE spoke by telephone with FNU LNU, a/k/a "Jaster," regarding payment for heroin that ORUCHE had provided.

k. On or about October 19, 2006, ORUCHE spoke by telephone with FNU LNU, a/k/a "Agwu," regarding payment for the heroin that ORUCHE had distributed.

(Title 21, United States Code, Section 963.)

COUNT FIVE

The Grand Jury further charges:

18. In or about December 2006, in the Southern District of New York and elsewhere, EMMANUEL ORUCHE and PAUL OSUJI, a/k/a "Mr. P," the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

19. It was a part and an object of the conspiracy that EMMANUEL ORUCHE and PAUL OSUJI, a/k/a "Mr. P," the defendants, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B).

20. PAUL OSUJI, a/k/a "Mr. P," the defendant, committed the offense charged in Count Five while released under Chapter 207 of Title 18 of the United States Code, pursuant to an order of the United States District Court for the Eastern District of New York.

Overt Acts

21. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about December 18, 2006, PAUL OSUJI, a/k/a "Mr. P," the defendant, met with EMMANUEL ORUCHE, the defendant, in the Bronx, New York.

b. On or about December 19, 2006, ORUCHE spoke by telephone with a co-conspirator not named as a defendant herein ("CC-3") regarding the price of cocaine in Detroit, Michigan.

c. On or about December 19, 2006, ORUCHE spoke by telephone with OSUJI regarding his conversation with CC-3.

(Title 21, United States Code, Section 846, and
Title 18, United States Code, Section 3147.)

Forfeiture Allegation

22. As a result of committing one or more of the controlled substance offenses alleged in Counts One through Five of this Indictment, EMMANUEL ORUCHE, FNU LNU, a/k/a "Agwu," REBECCA AMBO FOMUM-TIBAH, COSME FREDERIC TIBURCE JEMY, FNU LNU, a/k/a "Jaster," LINUS IHEUKWU, PAUL OSUJI, a/k/a "Mr. P," and JOSEPH OLUIGBO, the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. §§ 853 and 970, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in this Indictment.

Substitute Asset Provision

23. If any of the above-described forfeitable property, as a result of any act or omission of EMMANUEL ORUCHE, FNU LNU, a/k/a "Agwu," REBECCA AMBO FOMUM-TIBAH, COSME FREDERIC TIBURCE JEMY, FNU LNU, a/k/a "Jaster," LINUS IHEUKWU, PAUL OSUJI, a/k/a "Mr. P," and JOSEPH OLUIGBO, the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of

the Court;

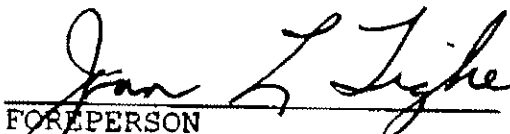
d. has been substantially diminished in value;


or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of EMMANUEL ORUCHE, FNU LNU, a/k/a "Agwu," REBECCA AMBO FOMUM-TIBAH, COSME FREDERIC TIBURCE JEMY, FNU LNU, a/k/a "Jaster," LINUS IHEUKWU, PAUL OSUJI, a/k/a "Mr. P," and JOSEPH OLUIGBO, the defendants, up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 and 970.)


FOR PERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

EMMANUEL ORUCHE,
FNU LNU, a/k/a "Agwu,"
REBECCA AMBO FOMUM-TIBAH,
COSME FREDERIC TIBURCE JEMY,
FNU LNU, a/k/a "Jaster,"
LINUS IHEUKWU,
PAUL OSUJI,
a/k/a "Mr. P," and
JOSEPH OLUIGBO,

Defendants.

INDICTMENT

S2 07 Cr. 124 (WHP)

(Title 21, United States Code, Sections
846 and 963, and Title 18, United States
Code, Section 3147)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.
